5/26/15

# Wetlands Bureau Decision Report

Decisions Taken 05/18/2015 to 05/24/2015

## DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

## APPEAL:

Any party aggrieved by a decision may file an appeal within 30 days of the date of this decision as specified in RSA 482-A:10, RSA 21-O:14, and the rules adopted by the Wetlands Council, Env-WtC 100-200.

The appeal must be filed directly with the Council, c/o the Council Appeals Clerk, who may be contacted at (603) 271-6072 or at <a href="mailto:appeals@des.nh.gov">appeals@des.nh.gov</a>. The notice of appeal must set forth fully every ground upon which it is claimed that the decision complained of is unlawful or unreasonable. Only those grounds set forth in the notice of appeal can be considered by the council.

### MAJOR IMPACT PROJECT

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2014-02128

PUBLIC SERVICE COMPANY OF NH

**TROY** 

Requested Action:

Applicant requests a waiver of Rule Env-Wt 806.05(b) for the ARM Fund payment deadline for work in Fitzwilliam to be extended to July 15, 2015.

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Conservation Commission/Staff Comments:

1. No comments were received from the Town of Troy or Town of Fitzwilliam Conservation Commissions. 10/30/14 Per DHR, No known properties of archaeological significance within the area of the undertaking's potential impact.

### APPROVE AMENDMENT:

Approve amendment for the ARM Fund payment to be extended to July 15, 2015 for the construction of a new 115kV transmission line, identified as Q166 transmission line leading from the Monadnock Substation in Troy to the Fitzwilliam Substation in Fitzwilliam. Compensatory Mitigation for US Army Corps Of Engineers consists of a one-time payment into the Aquatic Resource Mitigation Fund ("ARM") for impacts in Fitzwilliam based on revisions to temporary impacts.

### With Conditions:

With amended conditions:

- 1. All work in Troy shall be in accordance with plans by GZA GeoEnvironmental, Inc., dated July 2014 and narratives, as received by the NH Department of Environmental Services (DES) on August 5, 2014.
- 2. This permit is contingent on DES review of revised plans for work in Fitzwilliam to be provided by July 15, 2015.
- 3. This permit is contingent on a one-time payment into the Aquatic Resource Mitigation Fund ("ARM"). The payment shall be received by DES by July 15, 2015 or the application will be denied.
- 4. Work shall be done during low flow.
- 5. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur. A follow-up report shall be submitted to the Wetlands Bureau within 60 days of the completion of construction and after one full growing season.
- 6. Temporary wetlands impacts shall be restored to their pre-construction conditions within the right-of-way, including restoration of original grades.
- 7. Wetland restoration shall not be considered successful if sites are newly invaded by nuisance species such as common reed or purple loosetrife during the first full growing season following the completion of construction. The applicant shall work with DES to attempt to eradicate nuisance species newly found along the right-of-way during this same period.
- 8. The temporary wetland impact areas shall have at least 75% successful establishment of wetlands vegetation after one full growing season, or it shall be replanted and re-established in a manner satisfactory to the DES Wetlands Bureau.
- 9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
- 10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
- 11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
- 12. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
- 13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

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- 14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
- 15. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

- 16. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
- 17. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
- 18. All refueling of equipment shall occur outside of surface waters or wetlands.

## With Findings:

- 1. The waiver of Rule Env-Wt 806.05 is granted. The ARM fund payment shall be submitted prior to construction and before July 15, 2015.
- 2. The Department decision is issued in letter form and upon receipt of the total ARM fund payment, the Department shall issue a posting permit in accordance with Env-Wt 803.08(f).
- 3. The payment into the ARM fund shall be deposited in the DES fund for the Lower Connecticut River watershed per RSA 482-A:29.

#### 2014-02154

#### JITEN HOTEL MANAGEMENT INC

#### **BEDFORD** Bowman Brook

## Requested Action:

Proposal to change from an open bottom box culvert to a 4 sided embedded (same opening dimension) box culvert. The change is needed due to an existing sewer line.

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## Conservation Commission/Staff Comments:

1. The Bedford Conservation Commission voted to approve the pending application.

## APPROVE AMENDMENT:

Dredge and fill 5,561 sq. ft. (temporary impacts) of the bank and bed of Bowman Brook for demolition and redevelopment of an existing hotel and conference facility. Work consists of removal of existing structures along the bank of Bowman Brook and replacement of an existing 84 in. x 70 ft. RCP culvert with a 12 ft. span x 6 ft. rise x 70 ft. run embedded concrete box culvert (with staggered baffles) and associated stream bed restoration.

- 1. All work shall be in accordance with plans by TF Moran, Wetland Impact Exhibit plan dated August 6, 2014 and narratives, as received by the NH Department of Environmental Services (DES) on August 7, 2014 and plans by TF Moran dated May 29, 2014 with sheet revision dates of 7/23/14, 7/29/14 and 9/22/14, as received by DES on September 23, 2104 and as revised by narrative and plan by TF Moran, Inc., narrative dated April 3, 2015, plan sheet 6 of 34 last revision date 03/23/15 and SHEA Concrete Product plan dated 01.16.15 as received by DES on April 3, 2015.
- 2. This permit is contingent on approval by the DES Alteration of Terrain Bureau.
- 3. This permit is contingent on approval by the DES Waste Management Division.
- 4. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, depict all temporary impacts and show temporary siltation/erosion/turbidity control measures to be implemented.
- 5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
- 6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site

05/18/2015 to 05/24/2015

has returned to normal clarity.

- 7. Work shall be done during low flow.
- 8. The final surface of the stream channel bed and embedded box culvert shall be restored at natural grade using natural round stone or existing streambed materials and shall not include angular rip-rap.

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- 9. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur. A follow-up report shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
- 10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
- 11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
- 12. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
- 13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
- 14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
- 15. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
- 16. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired immediately.
- 17. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
- 18. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

## With Findings:

DES reaffirms findings 1 through 12 with additional findings.

- 1. This is a major project per NH Administrative Rule Env-Wt 303.02(p) Any project that includes a new or replacement stream crossing which meets the criteria for a tier 3 stream crossing as specified in Env-Wt 904.04(a).
- 2. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01.
- 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
- 4. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04 Requirements for Application Evaluation, has been considered in the design of the project.
- 5. The crossings replacement was submitted as an Alternative Design per Administrative Rule Env-Wt 904.09 due to the highly altered nature of this section of Bowman Brook. The crossing and stream section has been altered by the adjacent development, two dams directly upstream of the crossing and twin 60 inch culverts downstream of the crossing that pass under Interstate 293.
- 6. The existing 84 inch diameter culvert crossing is undersized and the new crossing has been designed to accommodate the 100 year storm event.
- 7. The new crossing includes restoration of the streambed.
- 8. The redevelopment of the site also includes stormwater improvements, removing structures over the water and on the banks of the stream/pond and new plantings along the stream/pond banks.
- 9. The design meets the criteria for a Tier 3 Stream crossing (Env-Wt 904.05) to the extent practicable.
- 10. DES has not received any abutter or public comments in objection to the proposed project.
- 11. DES has been notified that the Bedford Conservation Commission voted to support the application.
- 12. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resources, as identified under RSA 482-A:1.

## Additional findings:

13. The applicant has requested the amendment to address construction and timing constraints due to an existing sewer line.

- 14. The agent has indicated that the new 4-sided box culvert design will have the same opening as the previously approved 6 ft. x 12 ft. culvert and there will be no changes to hydrology.

- 15. The culvert will be embedded with natural rounded stone or similar streambed materials and includes staggered baffles to ensure aquatic organism passage.
- 16. The revised plan sheet is stamped by a PE.

#### 2015-00407

## TOWN OF HENNIKER

#### **HENNIKER Contoocook River**

## Requested Action:

Dredge and fill 17,224 sq. ft. (including 11,144 sq. ft. temporary impacts and 199 lin. ft.) of river bed and banks to replace the Western Avenue Bridge over the Contoocook River (Bridge# 095/100) in Henniker. Work includes placement of a temporary access stone causeway or work trestle, removal of a deteriorated 301 lin. ft. bridge span, construction of a 327 lin. ft. span and associated abutments, associated roadway approach construction, dry hydrant installation, and storm water drainage structures.

#### APPROVE PERMIT:

Dredge and fill 17,224 sq. ft. (including 11,144 sq. ft. temporary impacts and 199 lin. ft.) of river bed and banks to replace the Western Avenue Bridge over the Contoocook River (Bridge# 095/100) in Henniker. Work includes placement of a temporary access stone causeway or work trestle, removal of a deteriorated 301 lin. ft. bridge span, construction of a 327 lin. ft. span and associated abutments, associated roadway approach construction, dry hydrant installation, and storm water drainage structures.

- 1. All work shall be in accordance with plans and narratives by Hoyle Tanner & Associates, Inc., plans dated February 2015, as received by the NH Department of Environmental Services (DES) on February 23, 2015, and in accordance with revised Sheets 25 and 27 dated May, 2015, as received by DES on May 12, 2015.
- 2. The Town shall obtain temporary construction easements or written agreements from all affected landowners with work in jurisdiction on their property or within 20 feet of their property. Copies shall be supplied to DES Wetlands Bureau File No. 2015-00407 prior to construction.
- 3. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. This project is also subject to DES Shoreland Bureau Permit by Notification #2015-00512.
- 4. This permit is contingent on review and approval, by the DES Wetlands Bureau, of a final Construction Access Plan prepared by a New Hampshire Licensed Professional Engineer ("PE"). Those plans (if other than barge access only) shall be designed to accommodate at minimum the 10-year storm event, designed to be removed during periods of high flow and periods of non-instream construction (dependent on structure used/designed), provide aquatic organism passage, shall depict all temporary impacts, and sequence the installation/removal and restoration of temporary impact areas.
- 5. This permit is contingent on review and approval, by the DES Wetlands bureau, of a final erosion control plan prepared by a New Hampshire Licensed Professional Engineer ("PE"). Those plans shall depict all temporary impacts and show temporary siltation/erosion/turbidity control measures implemented.
- 6. The applicant shall coordinate (and address any concerns) with the NH Department of Fish and Game Department, Inland Fisheries Division for any in-stream work that will occur after October 1.
- 7. Work within the stream, inclusive of work associated with installation of a cofferdam and temporary access, shall be limited to periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
- 8. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
- 9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has

## returned to normal clarity.

10. The Contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

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- 11. The temporary wetland impact areas shall be restored to pre-construction condition following completion of substructure construction. All areas of temporary disturbance will be revegetated. The final surface of the stream channel bed shall be restored at natural grade using natural round stone or existing streambed materials and shall not include angular rip-rap.
- 12. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the waters.
- 13. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
- 14. Temporary cofferdams shall be entirely removed immediately following construction.
- 15. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur. A monitoring report shall be submitted to DES within 30 days of completion of the crossing.
- 16. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction and areas cleared of vegetation to be revegetated with native like species within three days of the completion of this project.
- 17. Areas from which vegetation has been cleared to gain access to the crossing site shall be replanted with like native species.
- 18. A vegetated swale shall be maintained at the inlet to catch basin #1 (110+75 LT 40). Temporary erosion control measures shall be installed around inlet until vegetation is established.
- 19. Personnel on the job site shall be made aware of the potential to encounter Wood turtle in the work area or where equipment is staged in sandy, well-drained soils especially during nesting season from late May through June. The New Hampshire Fish and Game Department, Nongame Nongame and Endangered Wildlife Program indicated that if Wood turtles are found laying eggs in a work or staging area, please contact Kim Tuttle 603-271-6544 or Mike Marchand, Wetlands Systems Biologist at 603-271-3016 for
- 20. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
- 21. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
- 22. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid.
- 23. Faulty equipment shall be repaired prior to construction.
- 24. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
- 25. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
- 26. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
- 27. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
- 28. Where construction activities have been temporarily suspended within the growing season, all exposed areas shall be stabilized within 14 days by mulching and seeding.
- 29. Where construction activities have been suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
- 30. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

## With Findings:

- 1. This is a Major impact project per Administrative Rule Env-Wt 303.02(p), Any project that includes a new or replacement stream crossing which meets the criteria for a tier 3 stream crossing as specified in Env-Wt 904.04(a).
- 2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The existing structure was constructed in 1933 and closed in 2009 due to advanced member deterioration and structural member section loss.
- 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

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- 5. The submitted Tier 3 replacement alternative design meets the General Design Criteria to the maximum extent practicable per Env-Wt 904.09.
- 6. The average bankfull width at the crossing was determined by the applicant to be 205 feet.
- 7. The stream crossing is Type C and per stream crossing guidelines would require a minimum span of 2.7 times the average bankfull width of 205 feet, or a 554 foot opening parallel to the river banks. Replacement of the existing (301 foot) structure would have considerable impacts to the environment and surrounding private properties and would be cost prohibitive.
- 8. The existing structure consists of a 301 ft. steel truss span which supports a 24 ft. wide roadway and a 5' cantilevered sidewalk.
- 9. The proposed structure consists of a 327 ft. span which supports a 28 ft. wide roadway and a 5' cantilevered sidewalk.
- 10. A hydrology and hydraulics report, dated September 2010 and amended February 2014, was prepared by Stephens Associates Consulting Engineers, Inc. and referenced by Hoyle, Tanner and Associates, Inc. for project design.
- 11. The hydraulic analysis conducted for the project indicated the proposed 327-foot span structure would result in greater than one-foot of freeboard for the 50-year flood event, and is designed to accommodate the 100-year flood event.
- 12. The applicant has addressed the General Administrative Design Consideration for stream crossing in accordance with Administrative Rule Env-Wt 904.01
- 13. The project plans are stamped by a New Hampshire Licensed Professional Engineer ("PE").
- 14. The applicant engineer stated "The proposed structure will maintain the natural stream bottom at the stream crossing, natural stream channel alignment, retain watercourse activity, does not act as a barrier to sediment transport, maintains existing flows and decreases flooding/overtopping of the roadway."
- 15. The applicant indicates that all areas of temporary disturbance will be revegetated and the stream bed will be restored upon work completion. A construction access plan (Sheet 27 of 56) has been submitted with the permit application.
- 16. The construction of proposed catch basin #1 would be mitigated by minimal flows treated through a grass swale. The construction of catch basin #2 could serve to reduce the total volume of concentrated flow to the south during the timeframe when surface runoff beneath the guardrail is inhibited by snow/ice.
- 17. The applicant indicated there will be no net loss of floodplain storage as a result of the proposed bridge replacement and there may be a negligible increase in floodplain storage rather than a decrease.
- 18. The New Hampshire Natural Heritage Bureau (NHB) indicates review indicated there is a species of special concern present in the vicinity of the project. The New Hampshire Fish and Game Department Nongame and Endangered Wildlife Program (NHFGD) commented that personnel working at the site should be made aware of the potential to encounter protected species. If Wood turtles are found laying eggs in a work or staging area, please contact Kim Tuttle 603-271-6544 or Mike Marchand, Wetlands Systems Biologist at 603-271-3016 for instructions.
- 19. The permit is conditioned on contact with NHFGD if Wood turtles are encountered.
- 20. The Contoocook & North Branch Rivers LAC reviewed potential project concerns and the proposed project impacts relative to a nearby EPA brownfield site. The LAC indicated that potential concerns were addressed in the application and by review of the construction proximity to the Brownfield site per email dated May 2, 2015.
- 21. DES has not received any abutter or public comments in objection to the proposed project.
- 22. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

#### 2015-00686 BARRETT FAMILY COMPOUND TRUST

**HOLDERNESS Squam Lake** 

#### Requested Action:

Permanently remove an existing "L" shaped seasonal docking structure and install a 6 ft. x 40 ft. seasonal dock with two 6 ft. x 20 ft. seasonal finger docks in a "F" shaped configuration accessed by an existing stair on the bank, with no work to the existing 4 ft. x 40 ft. seasonal dock, on an average of 307 feet of shoreline frontage, Squam Lake, Holderness. \*\*\*\*\*\*\*\*\*\*\*\*

## APPROVE PERMIT:

Permanently remove an existing "L" shaped seasonal docking structure and install a 6 ft. x 40 ft. seasonal dock with two 6 ft. x 20 ft.

seasonal finger docks in a "F" shaped configuration accessed by an existing stair on the bank, with no work to the existing 4 ft. x 40 ft. seasonal dock, on an average of 307 feet of shoreline frontage, Squam Lake, Holderness.

#### With Conditions:

1. All work shall be in accordance with plans by New Hampshire Environmental Consultants LLC dated March 20, 2015, as received by the NH Department of Environmental Services (DES) on March 25, 2015.

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- 2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
- 3. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
- 4. Seasonal piers shall be removed from the lake for the non-boating season.
- 5. No portion of the piers shall extend more than 40 ft. from the shoreline at full lake elevation.
- 6. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

## With Findings:

- 1. This project is classified as a major project per Rule Env-Wt 303.02(d), construction of a major docking facility.
- 2. The applicant has an average of 307 feet of frontage along Squam Lake.
- 3. A maximum of 5 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
- 4. The proposed docking facility and the existing docking structure will provide 5 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

-Send to Governor and Executive Council-

## MINOR IMPACT PROJECT

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2014-02267

**GOFFSTOWN, TOWN OF** 

GOFFSTOWN Uncanoonuc Lake

## Requested Action:

Proposal to dredge and fill 7688 sq. ft. (includes 5221 sq. ft. of temporary lake bed impacts) of lake bank, lake bed and associated emergent wetlands for rehabilitation of the Uncanoonuc Lake Dam. Work in jurisdiction includes replacing the existing overtopping spillway with a riser and barrel design outlet, removing the existing concrete dam core and reconstructing a compacted soil dam with a raised embankment and associated temporary construction impacts.

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## APPROVE PERMIT:

Dredge and fill 7688 sq. ft. (includes 5221 sq. ft. of temporary lake bed impacts) of lake bank, lake bed and associated emergent wetlands for rehabilitation of the Uncanoonuc Lake Dam. Work in jurisdiction includes replacing the existing overtopping spillway with a riser and barrel design outlet (with a low flow orifice), removing the existing concrete dam core and reconstructing a compacted soil dam with a raised embankment and associated temporary construction impacts.

## With Conditions:

1. All work shall be in accordance with plans by Dubois & King Inc. plan sheet P2 dated OCT 2013, as received by the NH Department of Environmental Services (DES) on August 18, 2014 and plan sheets C1 through C8 dated JAN. 2015 as received by DES on May 7, 2015.

- 2. This permit is contingent on receipt by the DES Wetlands Bureau of final construction plan set stamped by a NH Professional Engineer (PE).
- 3. This permit is contingent on approval by the DES Dam Safety Program.
- 4. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
- 5. The Town shall obtain temporary construction easements or written agreements from affected landowners with work in jurisdiction on their property or within 20 feet of their property. Copies shall be supplied to DES Wetlands Bureau File No. 2014-02267 prior to construction.
- 6. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur. A follow-up report shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
- 7. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of water/stream flow diversion during construction, depict all temporary impacts and show temporary siltation/erosion/turbidity control measures to be implemented.
- 8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
- 9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
- 10. Work shall be done during drawdown.
- 11. All temporary impacts shall be restored in-kind.
- 12. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
- 13. Temporary cofferdams shall be entirely removed immediately following construction.
- 14. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
- 15. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
- 16. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
- 17. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
- 18. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
- 19. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
- 20. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired immediately.
- 19. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
- 21. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

## With Findings:

- 1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
- 2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
- 3. The dam rehabilitation is needed to address a Letter of Deficiency issued by the NHDES Dam Bureau dated June 12, 2011.
- 4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
- 5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

flow discharge.

- 6. The applicant's agent consulted with the NHDES Water Quality Planning Section and has added a 2 inch orifice to maintain low
- 7. The applicants agent has indicated that normal pool elevation is 652.7 feet and after construction will be restored to the same historic normal pool elevation.
- 8. The approval is contingent on receipt by the NHDES Wetlands Bureau of final construction plan set stamped by a NH Professional Engineer (PE).

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- 9. This permit is contingent on approval by the DES Dam Safety Program..
- 10. DES has not received any comments in objection to the proposed project.

#### 2015-00412 MILLS SHORE REALTY TRUST

### **HAMPSTEAD** Island Pond

## Requested Action:

Permanently remove an existing dug in boathouse and a permanent dock, repair "in kind" an existing 50 linear feet of retaining wall, install a 6 ft. x 30 ft. seasonal dock, and construct a 470 sq. ft. perched beach in the footprint of the boathouse, on an average of 112 feet of shoreline frontage, Island Pond, Hampstead.

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Conservation Commission/Staff Comments:

No Con Com comments by April 02, 2015

### APPROVE PERMIT:

Permanently remove an existing dug in boathouse and a permanent dock, repair "in kind" an existing 50 linear feet of retaining wall, install a 6 ft. x 30 ft. seasonal dock, and construct a 470 sq. ft. perched beach in the footprint of the boathouse, on an average of 112 feet of shoreline frontage, Island Pond, Hampstead.

- 1. All work shall be in accordance with plans by Lavelle Associates dated February 11, 2015, as received by the NH Department of Environmental Services (DES) on April 23, 2015, and beach construction email and plans by Levelle Associates received on May 18, 2015.
- 2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
- 3. The permanent dock and boathouse shall be completely removed prior to the installation of the seasonal dock.
- 4. Work shall be done during drawdown.
- 5. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
- 6. Seasonal pier shall be removed from the lake for the non-boating season.
- 7. No portion of the pier shall extend more than 30 ft. from the shoreline at full lake elevation.
- 8. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
- 9. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 205). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
- 10. The steps installed for access to the water shall be located completely landward of the normal high water line.
- 11. No more than 6 cu. yd. of sand may be used and all sand shall be located above the normal high water line.
- 12. This permit shall be used only once, and does not allow for annual beach replenishment.
- 13. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
- 14. Re-vegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 ft. landward from the beach area.
- 15. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in place until the area is stabilized.
- 16. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for

03/16/2013 to 03/24/2013

obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

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## With Findings:

- 1. This is a minor impact project per Administrative Rule Env-Wt 303.03(g) Removal of no more than 20 cubic yards of rock, gravel, sand, mud, or other materials from public waters.
- 2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
- 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
- 4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
- 5. The applicant has an average of 112 feet of shoreline frontage along Island Pond.
- 6. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
- 7. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

## 2015-00418 GROTON

## ROCKHAVEN FINANCIAL LLC

## Requested Action:

Dredge and fill 4,440 square feet of unnamed intermittent streams (150 linear feet) for the construction of a residential driveway. Work in jurisdiction includes installing three culverts (two 64"wide x 43" high arch culverts and a 15" culvert) and 3,750 square feet of temporary impacts.

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#### APPROVE PERMIT:

Dredge and fill 4,440 square feet of unnamed intermittent streams (150 linear feet) for the construction of a residential driveway. Work in jurisdiction includes installing three culverts (two 64"wide x 43" high arch culverts and a 15" culvert) and 3,750 square feet of temporary impacts.

- 1. All work shall be done in accordance with plans by B A Barnard ENT., INC. as received by DES on May 11, 2015.
- 2. Areas of temporary impact shall be restored to original conditions following the completion of work.
- 3. Work shall be done during periods of non-flow.
- 4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
- 5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
- 6. The culvert shall be laid at original grade.
- 7. Proper headwalls shall be constructed within seven days of culvert installation.
- 8. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
- 9. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
- 10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
- 11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
- 12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
- 13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

- 14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
- 15. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

## With Findings:

- 1. This is a Minor Project per Env-Wt 303.03 (l) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
- 2. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01.
- 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
- 4. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04 Requirements for Application Evaluation, has been considered in the design of the project.
- 5. The proposed stream crossings are 1.2 times bankfull width and were designed to pass the 50 year flood frequency.
- 6. The Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.
- 7. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.

## 2015-00627 KERRY MCKENNA REVOCABLE TRUST

WINDHAM Intermittent Stream

## Requested Action:

Dredge and fill 1,856 sq. ft. of palustrine forested/scrub-shrub wetlands, containing an intermittent stream, to construct a roadway with a 70 ft. long 3 ft. wide x 2 ft. high open bottom box culvert crossing to access a 12-lot single-family residential subdivision on a 27.381 acre parcel of land.

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Conservation Commission/Staff Comments:

3/18/15 Per DHR, no historic properties affected.

## APPROVE PERMIT:

Dredge and fill 1,856 sq. ft. of palustrine forested/scrub-shrub wetlands, containing an intermittent stream, to construct a roadway with a 70 ft. long 3 ft. wide x 2 ft. high open bottom box culvert crossing to access a 12-lot single-family residential subdivision on a 27.381 acre parcel of land.

- 1. All work shall be in accordance with plans by Edward N. Herbert Assoc., Inc. dated Dec, 2014, as received by the NH Department of Environmental Services (DES) on March 18, 2015.
- 2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application or further permitting by the Bureau.
- 3. This permit is contingent on approval by the DES Alteration of Terrain Bureau.
- 4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
- 5. This permit shall not be effective until it has been recorded with the Rockingham County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
- 6. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
- 7. Proper headwalls shall be constructed within seven days of culvert installation.

- 05/18/2015 to 05/24/2015
- 8. Culvert outlets shall be properly rip rapped.
- 9. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

- 10. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
- 11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
- 12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
- 13. Work shall be done during low flow.

## With Findings:

- 1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l), projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks.
- 2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
- 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
- 4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
- 5. This project meets the general design considerations specified in Env-Wt 904.01 for a Tier One stream crossing.
- 6. The stream crossing will be an open bottom box culvert on footings.

#### MINIMUM IMPACT PROJECT

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### 2015-00105

### CHARLES M HART REVOCABLE TRUST

**DURHAM** Little Bay

Requested Action:

Repair in-kind 50 linear feet (462 square feet) of existing rip rap seawall above MLW.

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Conservation Commission/Staff Comments:

2/10/15 Per DHR, no historic properties affected.

### APPROVE PERMIT:

Repair in-kind 50 linear feet (462 square feet) of existing rip rap seawall above MLW.

- 1. All work shall be in accordance with revised plans by Ambit Engineering Inc. dated 4/14/15, as received by the NH Department of Environmental Services (DES) on 4/16/2015.
- 2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
- 3. Any area of temporary disturbance within the upland tidal buffer zone shall be regraded to original contours, and seeded and stabilized following completion of work.
- 4. The repairs shall maintain the size, location and configuration of the pre-existing structures.
- 5. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
- 6. Work shall be done during low tide. There shall be no work conducted in the water.

7. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.

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- 8. Faulty equipment shall be repaired prior to entering jurisdictional areas.
- 9. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
- 10. All refueling of equipment shall occur outside of surface waters or wetlands.

## With Findings:

- 1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x), repair in-kind of a non-docking structure.
- 2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. This section of the seawall has sustained damage and several of the rip rap stones have been displaced.
- 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The repair is in-kind, above Mean High Water. Repair can be accomplished in the dry.
- 4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

Although there is an NH Natural Heritage Bureau record for a species of concern in the area, no impact to that species is expected as a result of the project.

5. The Durham Conservation Commission did not report.

# 2015-00107 NEAL, JOHN MEREDITH Lake Winnipesaukee

## Requested Action:

Conservation Commission/Staff Comments:

No comments from Con Com by 02/25/2015

## APPROVE PERMIT:

Replace existing 12 ft. 5 in. x 35 ft. 4 in. deck supports with 4 piles with no modification of the deck, install 2 seasonal personal watercraft lifts within an existing boatslip adjacent to the northerly dock, install a seasonal boat lift with a 10 ft. 6 in. x 26 ft. seasonal canopy in an existing boatslip adjacent to the northerly dock, with no work to the southerly dock, on Lake Winnipesaukee, Meredith.

- 1. All work shall be in accordance with plans as received by the NH Department of Environmental Services (DES) on May 05, 2015.
- 2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
- 3. Photographs of the dock repair shall be submitted clearly indicating the repaired dock and supports.
- 4. This permit does not allow removal of any rock or other material from the lakebed or lakeward of the reference line.
- 5. The repairs shall maintain the size, location and configuration of the pre-existing structures.
- 6. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
- 7. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
- 8. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain in place until the area is stabilized.

- 9. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
- 10. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.

- 11. The seasonal personal watercraft lifts and seasonal boat lift shall be removed for the non-boating season.
- 12. Canopies shall be of seasonal construction type with a flexible fabric cover. The seasonal support frame shall be designed to be removed for the non-boating season. The flexible fabric cover shall be removed during all seasons of non-use.
- 13. The seasonal canopy shall not exceed 20 feet in elevation from full lake of 504.32.
- 14. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

## With Findings:

- 1. This is a minimum impact project per Administrative Rule Env-Wt 303.04 (o) projects deemed minimum impact by the department based on the degree of environmental impact repair.
- 2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
- 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
- 4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

#### 2015-00553

## ALTON, TOWN OF

## **ALTON** Intermittent Stream

## Requested Action:

Proposal to dredge and fill 208 sq. ft. of intermittent stream and 124 sq. ft. of associated forested wetlands for replacement a 30 in. x 32 ft. CMP culvert on Woodlands Road with a 4 ft. span x 4 ft. rise x 32 ft. run embedded (with natural rounded stone or similar natural streambed materials) box culvert.

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## APPROVE PERMIT:

Dredge and fill 208 sq. ft. of intermittent stream and 124 sq. ft. of associated forested wetlands for replacement of a 30 in. x 32 ft. CMP culvert on Woodlands Road with a 4 ft. span x 4 ft. rise x 32 ft. run embedded (with natural rounded stone or similar natural streambed materials) box culvert.

- 1. All work shall be in accordance with plans by Farmhouse Land Development, last revision date 01-6-2015, as received by the NH Department of Environmental Services (DES) on March 11, 2015.
- 2. The Town (if applicable) shall obtain temporary construction easements or written agreements from affected landowners with work in jurisdiction on their property. Copies shall be supplied to DES Wetlands Bureau File No. 2015-00553 prior to construction.
- 3. The baffles used within the box culvert shall be staggered or notched to ensure aquatic organism passage.
- 4. The final surface of the stream channel bed and embedded box culvert shall be restored at natural grade using natural round stone or existing streambed materials and shall not include angular rip-rap.
- 5. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur.
- 6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
- 7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.

- 8. Work shall be done during low flow.
- 9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

- 10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
- 11. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
- 12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
- 13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
- 14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
- 15. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired immediately.
- 16. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall 17. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

## With Findings:

- 1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x) Maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet.
- 2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
- 3. The existing culvert is deteriorated beyond repair.
- 4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
- 5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
- 6. The existing Tier 1 stream crossing will be upgraded from a 30 in. x 32 ft. CMP culvert to a 4 ft. span x 4 ft. rise x 32 ft. run box culvert.

## FORESTRY NOTIFICATION

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2015-01159

STATE OF NH DRED

WINCHESTER Unnamed Stream

COMPLETE NOTIFICATION:

Winchester, Tax Map #11, 7, Lot #17, 47

2015-01161

STATE OF NH DRED

CHARLESTOWN Unnamed Stream

**COMPLETE NOTIFICATION:** 

Charlestown, Tax Map #243, Lot #24

2015-01163

WHITING, DAWN

**BOSCAWEN** Unnamed Stream

COMPLETE NOTIFICATION:

BOSCAWEN, TAX MAP #94, LOT #s 5, 5.2

2015-01175

CHAWLA, ANDREW

LYNDEBOROUGH Unnamed Stream

COMPLETE NOTIFICATION:

Lyndeborough, Tax Map #215, Lot #12

2015-01178

TAYLOR, DON/DOROTHY

WILTON Unnamed Stream

Requested Action:

Wilton, Tax Map C, Lot# 29

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2015-01179

SAWYER, MATTHEW

OSSIPEE Unnamed Stream

APPROVE PERMIT:

Ossipee, Tax Map #251, Lot #1

2015-01195

FRIENDS OF YOUNG JUDAEA INC

AMHERST Unnamed Stream

COMPLETE NOTIFICATION:

Amherst, Tax Map #8, Lot #58

2015-01210

FOWSKI REVOC TRUST, JUDITH

SANDWICH Unnamed Stream

COMPLETE NOTIFICATION:

Sandwich, Tax Map #R22, Lot #1

2015-01211

GREEN ACRE WOODLANDS INC

PLYMOUTH Unnamed Stream

COMPLETE NOTIFICATION:

Plymouth, tax map #235, lot #1

2015-01217

LANDWEHR, BARBARA

TUFTONBORO Unnamed Stream

COMPLETE NOTIFICATION:

Tuftonboro, Tax Map 70, Lot #6

2015-01219

ARMSTRONG, MATTHEW

TAMWORTH Unnamed Stream

COMPLETE NOTIFICATION:

Tamworth, Tax Map 415, Lot #11

2015-01221

MCHALE, PADRAIC

**NEW DURHAM** Unnamed Stream

COMPLETE NOTIFICATION:

New Durham, Tax Map 252, Lot #2

2015-01224

HARTMAN, CHARLES

**CONWAY** Unnamed Stream

COMPLETE NOTIFICATION:

Conway, Tax Map 296, Lot #17

2015-01225

KAMEN, DEAN

**BRIDGEWATER** Unnamed Stream

COMPLETE NOTIFICATION:

Bridgewater, Tax Map 207, Lot #2

2015-01227

SEDGWICK, JOHN

TAMWORTH Unnamed Stream

COMPLETE NOTIFICATION:

Tamworth, Tax Map 407, Lot #103

2015-01228

GREEN ACRE WOODLANDS INC

**GROTON** Unnamed Stream

COMPLETE NOTIFICATION:

Groton, Tax Map 9, Lot #s 1 & 2

05/18/2015 to 05/24/2015

### **EXPEDITED MINIMUM**

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#### 2015-00042

## PURE HOOKSETT LLC

#### **HOOKSETT** Unnamed Wetland

Requested Action:

Request name change to: Pure Hooksett, LLC

Dredge and fill 2,453 sq. ft. of forested wetlands for access to a proposed building expansion at the existing General Electric Aviation Plant. Work in wetlands consists of dredging, filling and grading for construction of a new cul-de-sac in Industrial Park Drive.

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## Conservation Commission/Staff Comments:

1. The Conservation Commission signed the application waiving their right to intervene.

5/19/15 Per Tracy Tarr, before the sale to Pure Hooksett, GE purchased the property from NH Business Finance.

## APPROVE NAME CHANGE:

Change name and address to: Pure Hooksett, LLC

c/o Pure Development, Inc., Attn: John R. Gaskin; 815 E 65th St. Ste 200; Indianapolis, IN 46220

Dredge and fill 2,453 sq. ft. of forested wetlands for access to a proposed building expansion at the existing General Electric Aviation Plant. Work in wetlands consists of dredging, filling and grading for construction of a new cul-de-sac in Industrial Park Drive.

- 1. All work shall be in accordance with plans by TFM dated December 16, 2014, as received by the NH Department of Environmental Services (DES) on January 9, 2015.
- 2. This permit is contingent on approval by the DES Alteration of Terrain Bureau.
- 3. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur.
- 4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
- 5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
- 6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
- 7. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
- 8. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
- 9. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
- 10. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
- 11. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a further permitting by the Bureau.
- 12. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
- 13. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

14. All refueling of equipment shall occur outside of surface waters or wetlands.

## With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Env-Wt 502.02 (b).

### 2015-00745

#### MEYER, ROBERT

### **GRANTHAM**

## Requested Action:

Dredge and fill 260 square feet of forested wetland for the construction of a residential driveway. Work in jurisdiction includes installing an 18" culvert.

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## APPROVE PERMIT:

Dredge and fill 260 square feet of forested wetland for the construction of a residential driveway. Work in jurisdiction includes installing an 18" culvert.

## With Conditions:

- 1. All work shall be done in accordance with plans by CLD Consulting Engineers as received by DES on May 12, 2015.
- 2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
- 3. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
- 4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
- 5. The culvert shall be laid at original grade.
- 6. Proper headwalls shall be constructed within seven days of culvert installation.
- 7. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
- 8. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
- 9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
- 10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
- 11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
- 12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
- 13. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
- 14. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
- 15. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

## With Findings:

1. This is a minimum impact Project per Env-Wt 303.04 (f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.

- 05/18/2015 to 05/24/2015
- 2. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01.
- 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
- 4. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04 Requirements for Application Evaluation, has been considered in the design of the project.

- 5. The project design was revised to include grass lined roadside ditches with permanent stone check dams and a stone berm level spreader to aid in stormwater treament.
- 6. The Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.
- 7. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.

#### 2015-00950

#### FISHERS BAY COMMUNITY ASSOCIATION

SUNAPEE Sunapee Lake

## Requested Action:

Replenish an existing community beach with no more than 10 cubic yards of sand on Lake Sunapee, Sunapee.

\*\*\*\*\*\*\*\*\*\*\*

#### APPROVE PERMIT:

Replenish an existing community beach with no more than 10 cubic yards of sand on Lake Sunapee, Sunapee.

#### With Conditions:

- 1. All work shall be in accordance with plans as received by the NH Department of Environmental Services (DES) on May 08, 2015.
- 2. No more than 10 cu. yd. of sand may be used and all sand shall be located above the normal high water line.
- 3. This permit shall be used only once, and does not allow for annual beach replenishment.
- 4. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
- 5. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in place until the area is stabilized.
- 6. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

### With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(aa), replenishment of an existing beach with no more than 10 cubic yards of sand.

### 2015-00975

### FREDERICK W GREENE ESTATE INC

JAFFREY Stony Brook & Unnamed Tributary

## Requested Action:

Dredge and fill 2,016 sq. ft. (including 1,400 lin. ft.) of perennial stream and bank (Stony Brook and unnamed tributary) to improve aquatic bio-density by enhancing instream habitat, refugia and structure with the addition of large instream wood.

\*\*\*\*\*\*\*\*\*\*\*

## APPROVE PERMIT:

Dredge and fill 2,016 sq. ft. (including 1,400 lin. ft.) of perennial stream and bank (Stony Brook and unnamed tributary) to improve aquatic bio-density by enhancing instream habitat, refugia and structure with the addition of large instream wood.

#### With Conditions:

1. All work shall be in accordance with the project description and methodology identified on the Stony Brook & Tributary Project

05/18/2015 to 05/24/2015

Areas provided by Trout Unlimited with the Wetlands Permit Application for the Susan V. Greene Estate, Inc. as received by the Department on May 1, 2015.

- 2. All in-stream work shall be conducted in a manner to minimize turbidity and sedimentation to surface waters and shall be conducted in a manner so as to minimize the duration of construction in the watercourse.
- 3. Construction shall be inspected daily by a qualified biologist and/or forester to ensure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
- 4. Work shall be done during low flow and between the months of May through September.
- 5. If applicable, appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
- 6. Wood will be added to the stream by hand. Tress will be felled with chainsaws. No other motorized equipment will be used.
- 7. Precautions shall be taken to limit unnecessary removal of vegetation adjacent to the pond and adjacent to the stream channel. To the extent possible, trees will be felled outside of a 50 ft. riparian buffer of each stream.
- 8. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
- 9. If applicable, wetland areas that are temporarily disturbed shall be regraded and seeded with a wetland seed mix upon completing the stream restoration project.
- 10. The permittee shall conduct a follow-up inspection after the first and second growing seasons, to review the success of the restoration project and schedule remedial actions if necessary. Photo documentation and a brief report shall be submitted to the DES Wetlands Bureau by December 1st of each year.
- 11. The permittee shall attempt to control invasive species such as Glossy Buckthorn (Rhamnus frangula) by measures agreed upon by the DES Wetlands Bureau if the species is found in the stabilization areas during construction and during the early stages of vegetative establishment.
- 12. All refueling of equipment (chainsaw) shall occur outside of surface waters or wetlands during construction.

## With Findings:

- 1. This is a Minimum Impact project per Administrative Rule Env-Wt 303.04 (t), Restoration of altered or degraded wetlands provided the project (1) Receives financial support and direct supervision of a New Hampshire state agency, the US Environmental Protection Agency, the US Army Corps of Engineers, the US Natural Resources Conservation Service, or the US Fish and Wildlife Service; (2) Shall not be used to perform restoration in cases where the applicant is subject to a removal or restoration order; (3) Does not impact bogs, marshes, sand dunes, tidal wetlands, cedar swamps, undisturbed tidal buffer zone or involve any work within 50 feet of a salt marsh; (4) The project is not located in or within 100 feet of prime wetlands; (5) The proposed project has not been identified by Natural Heritage Bureau (NHB) as an exemplary natural community, and/or does not have documented occurrences of state or federally listed endangered or threatened species OR I have received information (the NHB DataCheck Results Letter) from NHB and/or the NH Fish and Game Department providing me with recommendations to avoid potential impacts.
- 2. This restoration project has received funds from two primary sources: NRCS provides financial support to the landowner and TU, while NHFGD supplies in-kind contributions in the form of technical assistance, field work, and continued monitoring of the restoration site.
- 3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
- 4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04 Requirements for Application Evaluation, has been considered in the design of the project.
- 5. The proposed project area of Stony Brook will consist of 800 linear feet in total stream length with an average bankfull width of twelve feet. Approximately 1,040 square feet will be permanently impacted by large instream wood additions specifically at chosen installation sites approximately every 20 to 40 feet.
- 6. The proposed project area of the unnamed 2nd order tributary to Stony Brook will consist of 600 linear feet in total stream length with an average bankfull width of eight feet. Approximately 975 square feet will be permanentally impacted by large instream wood additions specifically at chosen installation sites.
- 7. The large instream wood is intended to help rebuild the surrounding floodplain during rain events, and encourage the growth of riparian vegetation. The applicant indicates there will be no areas of permanent or temporary impact outside the footprint of the project area.
- 8. All instream work will be completed at these installation sites within the bankfull area. There are no areas of permanent or temporary impact outside the footprint of the project area.

9. The goal of the proposed restoration project is to 1) improve aquatic bio-density by enhancing instream habitat and structure, 2) influence spawning potential by improving sediment transport, pool riffle runs, and stream cover, 3) improve mobility of brook trout within this tributary to offer thermal refugia during extreme weather, 4) encourage genetic diversity and, 5) re-engage floodplain access where appropriate to reduce instream velocities during high flow events.

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## 2015-00977 UNDERWOOD FAMILY TRUST

JAFFREY Tributary To The Contoocook River

## Requested Action:

#### APPROVE PERMIT:

Dredge and fill 1,208 sq. ft. (including 1,000 lin. ft.) of perennial stream and bank (unnamed tributary to the Contoocook River) to improve aquatic bio-density by enhancing instream habitat, refugia and structure with the addition of large instream wood.

#### With Conditions:

- 1. All work shall be in accordance with the project description and methodology identified on the Tributary to the Contoocook River Project provided by Trout Unlimited with the Wetlands Permit Application for the Susan V. Greene Estate, Inc. as received by the Department on May 1, 2015.
- 2. All in-stream work shall be conducted in a manner to minimize turbidity and sedimentation to surface waters and shall be conducted in a manner so as to minimize the duration of construction in the watercourse.
- 3. Construction shall be inspected daily by a qualified biologist and/or forester to ensure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
- 4. Work shall be done during low flow and between the months of May through September.
- 5. If applicable, appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
- 6. Wood will be added to the stream by hand. Trees will be felled with chainsaws. No other motorized equipment will be used.
- 7. Precautions shall be taken to limit unnecessary removal of vegetation adjacent to the pond and adjacent to the stream channel. To the extent possible, trees will be felled outside of a 50 ft. riparian buffer of each stream.
- 8. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
- 9. If applicable, wetland areas that are temporarily disturbed shall be regraded and seeded with a wetland seed mix upon completing the stream restoration project.
- 10. The permittee shall conduct a follow-up inspection after the first and second growing seasons, to review the success of the restoration project and schedule remedial actions if necessary. Photo documentation and a brief report shall be submitted to the DES Wetlands Bureau by December 1st of each year.
- 11. All refueling of equipment (chainsaw) shall occur outside of surface waters or wetlands during construction.

## With Findings:

1. This is a Minimum Impact project per Administrative Rule Env-Wt 303.04 (t), Restoration of altered or degraded wetlands provided the project (1) Receives financial support and direct supervision of a New Hampshire state agency, the US Environmental Protection Agency, the US Army Corps of Engineers, the US Natural Resources Conservation Service, or the US Fish and Wildlife Service; (2) Shall not be used to perform restoration in cases where the applicant is subject to a removal or restoration order; (3) Does not impact bogs, marshes, sand dunes, tidal wetlands, cedar swamps, undisturbed tidal buffer zone or involve any work within 50 feet of a salt marsh; (4) The project is not located in or within 100 feet of prime wetlands; (5) The proposed project has not been identified by Natural Heritage Bureau (NHB) as an exemplary natural community, and/or does not have documented occurrences of

state or federally listed endangered or threatened species OR I have received information (the NHB DataCheck Results Letter) from

- 2. This restoration project has received funds from two primary sources: NRCS provides financial support to the landowner and TU, while NHFGD supplies in-kind contributions in the form of technical assistance, field work, and continued monitoring of the restoration site.
- 3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
- 4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04 Requirements for Application Evaluation, has been considered in the design of the project.

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NHB and/or the NH Fish and Game Department providing me with recommendations to avoid potential impacts.

- 5. The proposed project area of the unnamed tributary to the Contoocook River will consist of 1,000 linear feet in total stream length with an average bankfull width of fourteen feet. Approximately 1,208 square feet will be permanently impacted by large instream wood additions specifically at chosen installation sites approximately every 20 to 40 feet.
- 6. The large instream wood is intended to help rebuild the surrounding floodplain during rain events, and encourage the growth of riparian vegetation. The applicant indicates there will be no areas of permanent or temporary impact outside the footprint of the project area.
- 7. All instream work will be completed at these installation sites within the bankfull area. There are no areas of permanent or temporary impact outside the footprint of the project area.
- 8. The goal of the proposed restoration project is to 1) improve aquatic bio-density by enhancing instream habitat and structure, 2) influence spawning potential by improving sediment transport, pool riffle runs, and stream cover, 3) improve mobility of brook trout within this tributary to offer thermal refugia during extreme weather, 4) encourage genetic diversity and, 5) re-engage floodplain access where appropriate to reduce instream velocities during high flow events.

## 2015-00979 GOULDING-GORDON, PETER L. & BARBARA

## RYE Atlantic Ocean

## Requested Action:

Impact 1,665 sq. ft. in the previously developed upland Tidal Buffer Zone for temporary construction impacts associated with the replacement of existing single family home within the existing footprint and the installation of a new subsurface septic system in the same location as the one to be removed.

## \*\*\*\*\*\*\*\*\*\*

## With Conditions:

- 1. All work shall be in accordance with plans by Ambit Engineering Inc. dated March 2015, as received by the NH Department of Environmental Services (DES) on May 01, 2015.
- 2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application or further permitting by the Bureau.
- 3. DES Wetlands Bureau Southeast Region staff and the Rye Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
- 4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
- 5. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
- 6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
- 7. The existing subsurface septic system shall be removed and disposed of in accordance with NH DES regulations.

## With Findings:

- 1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b), projects in previously developed upland areas within 100 feet of the highest observable tide line.
- 2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
- 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

- 05/18/2015 to 05/24/2015
- 4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

5. Env-Wt 304.04(a) Setback From Property Lines is waived with the finding that strict compliance with the rule would provide no benefit to the public, and would result in an operational and potential economic hardship for the applicant. No response was received from abutters who received a Letter of Concurrence from the applicant.

#### 2015-00983

## CARY, PETER

#### **HAMPTON** Atlantic Ocean

## Requested Action:

Impact a total of 1,893 sq. ft. (1,294 sf permanent & 599 sf temporary construction impacts)

in the previously developed upland tidal buffer zone for work associated with the partial replacement of the existing single family residence.

\*\*\*\*\*\*\*\*\*\*

### APPROVE PERMIT:

Impact a total of 1,893 sq. ft. (1,294 sf permanent & 599 sf temporary construction impacts)

in the previously developed upland tidal buffer zone for work associated with the partial replacement of the existing single family residence.

#### With Conditions:

- 1. All work shall be in accordance with plans by Ambit Engineering Inc. dated February 2015, as received by the NH Department of Environmental Services (DES) on May 01, 2015.
- 2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application or further permitting by the Bureau.
- 3. DES Wetlands Bureau Southeast Region staff and the Hampton Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
- 4. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
- 5. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

### With Findings:

- 1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b), projects in previously developed upland areas within 100 feet of the highest observable tide line.
- 2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
- 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
- 4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
- 5. Env-Wt 304.04(a) Setback From Property Lines is waived with the finding that strict compliance with the rule would provide no benefit to the public, and would result in an operational and potential economic hardship for the applicant.

#### 2015-01053

#### USDA FOREST SERVICE

## RANDOLPH Pond Of Safety

#### Requested Action:

Construct a 500 sq. ft. perched beach with no more than 10 cubic yards of gravel to serve as a public canoe launch on Pond of

05/18/2015 to 05/24/2015

Safety, Randolph. \*\*\*\*\*\*\*\*\*\*

Conservation Commission/Staff Comments: 5/7/15 Per DHR, no potential properties affected.

#### APPROVE PERMIT:

Construct a 500 sq. ft. perched beach with no more than 10 cubic yards of gravel to serve as a public canoe launch on Pond of Safety, Randolph.

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### With Conditions:

- 1. All work shall be in accordance with plans by U.S. Department of Agriculture Forest Service dated March 18, 2015, as received by the NH Department of Environmental Services (DES) on May 07, 2015.
- 2. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
- 3. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line. Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
- 4. No more than 10 cu. yd. of sand or gravel may be used and all sand shall be located above the normal high water line.
- 5. This permit shall be used only once, and does not allow for annual beach replenishment.
- 6. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
- 7. Re-vegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 ft. landward from the beach area.
- 8. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in place until the area is stabilized.
- 9. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

## With Findings:

- 1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(d) construction of a beach.
- 2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
- 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
- 4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

## 2015-01055

## **CORBETT, EUGENE**

FREEDOM Ossipee River

## Requested Action:

Construct a 6 ft. x 24 ft. seasonal dock with a 6 ft. x 18 ft. seasonal dock lakeward in a "T" shaped configuration with a concrete anchor pad, on an average of 168 feet of shoreline frontage, Ossipee River, Freedom. \*\*\*\*\*\*\*\*\*\*\*

### APPROVE PERMIT:

Construct a 6 ft. x 24 ft. seasonal dock with a 6 ft. x 18 ft. seasonal dock lakeward in a "T" shaped configuration with a concrete anchor pad, on an average of 168 feet of shoreline frontage, Ossipee River, Freedom.

## With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated April 08, 2015, as received by the NH Department of Environmental Services (DES) on May 07, 2015.

- 2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
- 3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
- 4. Seasonal pier shall be removed from the lake for the non-boating season.
- 5. No portion of the pier shall extend more than 30 ft. from the shoreline at full lake elevation.
- 6. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

## With Findings:

- 1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), construction of a seasonal docking structure.
- 2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
- 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
- 4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
- 5. The applicant has an average of 168 feet of shoreline frontage along Ossipee River.
- 6. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
- 7. The proposed docking facility will provide 1 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

#### **GOLD DREDGE**

\*\*\*\*\*\*\*\*\*\*\*\*\*

2015-01155

**HUFF, LAWRENCE** 

(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments: cc: Bath Con. Com.

2015-01157

ORZEL, MICHAEL

(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments: cc: Bath Con. Com.

2015-01168

CASSAVAUGH, GREGORY

(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments: cc: Bath Con. Com.

2015-01212

COULSTRING JR, GERALD

(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments: cc: Bath Con. Com.

### LAKES-SEASONAL DOCK NOTIF

\*\*\*\*\*\*\*\*\*\*\*\*\*\*

2015-01045

TSAO, DAVID & SUSAN

WAKEFIELD Pine River Pond

Requested Action:

Disqualify seasonal dock notification.

\*\*\*\*\*\*\*\*\*\*\*

DISQUALIFY TRAIL/FORESTRY/DOCK NOTIFICTN:

Disqualify seasonal dock notification.

With Findings:

There are other docks on other parts of the this frontage and lot.

-Send to Governor and Executive Council-

## ROADWAY MAINTENANCE NOTIF

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

2015-01183

NH DEPT OF TRANSPORTATION

LEBANON Unnamed Stream

COMPLETE NOTIFICATION:

Extending the inlet of a 40' culvert 8'.

2015-01185

NH DEPT OF TRANSPORTATION

**NEW LONDON** Unnamed Stream

COMPLETE NOTIFICATION:

Replace 40' of 15" CMP with 40' of 15" CMP.

2015-01187

NH DEPT OF TRANSPORTATION

**NEW LONDON** Unnamed Stream

COMPLETE NOTIFICATION:

Replace 40' of 18" CMP.

2015-01189

NH DEPT OF TRANSPORTATION

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FRANKLIN Unnamed Stream

COMPLETE NOTIFICATION:

Replace 50' of 24" with 50' of 30".

2015-01190

**DRED** 

**BERLIN** Unnamed Stream Unnamed Wetland

COMPLETE NOTIFICATION:

Replace and extend an existing 18" culvert approximately 5 feet.

2015-01198

NH DEPT OF TRANSPORTATION

NOTTINGHAM Unnamed Wetland

COMPLETE NOTIFICATION:

Replace a 24" culvert.

## PERMIT BY NOTIFICATION

\*\*\*\*\*\*\*\*\*\*\*\*

2015-00865

TIMBERLOST LLC

SUNAPEE Sunapee Lake

Requested Action:

Construction or modification of a seasonal pier or wharf dock, with no more than 2 slips (including previously existing slips).

\*\*\*\*\*\*\*\*\*\*

## PBN IS COMPLETE:

Construction or modification of a seasonal pier or wharf dock, with no more than 2 slips (including previously existing slips).

Requested Action:

Maintenance, repair, and replacement in-kind of existing docking structures, such as breakwaters and docks, provided no change in location, configuration, construction type, or dimensions.

\*\*\*\*\*\*\*\*\*\*\*

## PBN IS COMPLETE:

Maintenance, repair, and replacement in-kind of existing docking structures, such as breakwaters and docks, provided no change in location, configuration, construction type, or dimensions.

2015-00916

SADOCK, DAVID

WASHINGTON Highland Lake

Requested Action:

Maintenance, repair, and replacement in-kind of existing docking structures or other docking facilities, provided no change in

location, configuration, construction type, or dimensions is proposed in accordance with plans received by DES May 19, 2015.

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### PBN IS COMPLETE:

Maintenance, repair, and replacement in-kind of existing docking structures or other docking facilities, provided no change in location, configuration, construction type, or dimensions is proposed in accordance with plans received by DES May 19, 2015.

## 2015-00969 VICKOWSKI, GREGORY

ALTON Lake Winnipesaukee

## Requested Action:

#### PBN IS COMPLETE:

Maintenance, repair, and replacement in-kind of existing docking structures, such as breakwaters and docks, provided no change in location, configuration, construction type, or dimensions is proposed in accordance with plans dated March 21, 2015.

## 2015-00987 ORRELL, JOHN

MILTON Northeast Pond

### Requested Action:

## PBN IS COMPLETE:

Repair or replacement of the existing retaining walls shall be performed "in the dry" during drawdown of waters, resulting in no change in height, length, location, or configuration in accordance with plans dated April 22, 2015.

### Requested Action:

Repair or replacement of the existing retaining walls shall be performed "in the dry" during drawdown of waters, resulting in no change in height, length, location, or configuration in accordance with plans dated April 22, 2015 and cross-sectional plans dated May 19, 2015.

\*\*\*\*\*\*\*\*\*

## PBN IS COMPLETE:

Repair or replacement of the existing retaining walls shall be performed "in the dry" during drawdown of waters, resulting in no change in height, length, location, or configuration in accordance with plans dated April 22, 2015 and cross-sectional plans dated May 19, 2015.

## 2015-01001 NORMANDIN, LINDA

**BELMONT** Winnisquam Lake

## Requested Action:

Replenishment of sand on an existing beach, provided no sand shall be placed below the high water line or full pond elevation and no more than 10 cubic yards of sand shall be used.

\*\*\*\*\*\*\*\*\*\*

#### PBN IS COMPLETE:

Replenishment of sand on an existing beach, provided no sand shall be placed below the high water line or full pond elevation and no more than 10 cubic yards of sand shall be used.

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## 2015-01007

NOTTINGHAM, TOWN OF

**NOTTINGHAM** Elliot River

Requested Action:

Impact 189 square feet of wetlands to replace an existing dry hydrant.

\*\*\*\*\*\*\*\*\*

### PBN IS COMPLETE:

Impact 189 square feet of wetlands to replace an existing dry hydrant.

### 2015-01098

## FLOOR, ELIZABETH

GILFORD Lake Winnipesaukee

## Requested Action:

Maintenance, repair, and replacement in-kind of existing docking structures, provided no change in location, configuration, construction type, or dimensions is proposed in accordance with plans dated May 6, 2015.

\*\*\*\*\*\*\*\*\*\*\*

### PBN IS COMPLETE:

Maintenance, repair, and replacement in-kind of existing docking structures, provided no change in location, configuration, construction type, or dimensions is proposed in accordance with plans dated May 6, 2015.

## 2015-01129

## PERRECA, JOHN/DOROTHY

MADISON Silver Lake

### Requested Action:

Construction of a seasonal dock, with no more than 2 slips (including previously existing slips) and a seasonal dock anchoring pad in non-tidal waters in accordance with plans dated March 7, 2015.

\*\*\*\*\*\*\*\*\*\*

## PBN IS COMPLETE:

Construction of a seasonal dock, with no more than 2 slips (including previously existing slips) and a seasonal dock anchoring pad in non-tidal waters in accordance with plans dated March 7, 2015.

## 2015-01169

## SOUCY, SCOTT/KIMBERLY

SUNAPEE Sunapee Lake

## Requested Action:

Maintenance, repair, and replacement in-kind of existing crib dock provided no change in location, configuration, construction type, or dimensions and installation of one seasonal boatlift in non-tidal waters in accordance with plans dated May 6, 2015.

05/18/2015 to 05/24/2015

\*\*\*\*\*\*\*\*\*\*

#### PBN IS COMPLETE:

Maintenance, repair, and replacement in-kind of existing crib dock provided no change in location, configuration, construction type, or dimensions and installation of one seasonal boatlift in non-tidal waters in accordance with plans dated May 6, 2015.

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### **CSPA PERMIT**

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

2014-01249

FISHER, MARY SUE/PETER

**ORFORD** Connecticut River

Requested Action:

Amendment Description: Impact an additional 1,450 sq ft in order to create a berm for stormwater protection.

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Conservation Commission/Staff Comments:

4/24/14 Per DHR, no historic properties affected.

### APPROVE AMENDMENT:

Impact 38,350 sq. ft. in order to erect a residence with a septic system, driveway, diversion berm, and pathway toward the water.

## With Conditions:

- 1. All work shall be in accordance with revised plans by Haynes & Garthwaite Architects and DeWollfe Engineering Associates, Inc. dated July 28, 2014 and received by the NH Department of Environmental Services (DES) on May 19, 2015.
- 2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
- 3. All impacts within wetlands, surface waters and their banks shall require a Wetland Permit under RSA 482-A.
- 4. No more than 8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
- 5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
- 6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
- 7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
- 8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
- 9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

#### 2015-00902 MURPHY REVOCABLE TRUST

RYE Berrys Brook

Requested Action:

Impact 6,147 in order to construct a 4 bedroom home with approved septic system.

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## APPROVE PERMIT:

Impact 6,147 in order to construct a 4 bedroom home with approved septic system.

## With Conditions:

1. All work shall be in accordance with plans by Beals Associates, PLLC dated March 2015 and received by the NH Department of Environmental Services (DES) on April 23, 2015.

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- 2. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
- 3. No more than 16% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
- 4. At least 4,678 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
- 5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
- 6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
- 7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
- 8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
- 9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
- 10. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
- 11. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
- 12. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

## 2015-00914 SCHIMBERG, DANIEL

**NEW LONDON** Sunapee Lake

#### Requested Action:

## APPROVE PERMIT:

Impact 1,100 sq ft in order to remove an existing garage and rebuild a new garage within the same footprint with utilities.

- 1. All work shall be in accordance with plans by Hogg Hill Design, LLC dated April 20, 2015 and received by the NH Department of Environmental Services (DES) on April 24, 2015.
- 2. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
- 3. No more than 7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
- 4. At least 16,347 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
- 5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
- 6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

- 05/18/2015 to 05/24/2015
- 7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

- 8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
- 9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
- 10. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
- 11. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

#### 2015-00917

## HOWSE, LINDA/RUSSELL

## MEREDITH Lake Winnipesaukee

## Requested Action:

Impact 12,950 sq ft in order to replace a nonconforming residence with a new, larger residence that meets the primary building setback. Regrade around residence, construct stone retaining walls, move two existing sheds and bunk house further from reference line, reduce impervious footprint of the driveway and convert 1,430 sq ft to pervious surface, install two walkways, install stormwater features, and install a septic system.

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### APPROVE PERMIT:

Impact 12,950 sq ft in order to replace a nonconforming residence with a new, larger residence that meets the primary building setback. Regrade around residence, construct stone retaining walls, move two existing sheds and bunk house further from reference line, reduce impervious footprint of the driveway and convert 1,430 sq ft to pervious surface, install two walkways, install stormwater features, and install a septic system.

- 1. All work shall be in accordance with plans by Ames Assoicates dated April 8, 2015 and received by the NH Department of Environmental Services (DES) on April 24, 2015.
- 2. This approval includes a waiver of RSA 483-B:9, V, b, 2(a) and, therefore, shall not be effective until it has been recorded at the appropriate county registry of deeds office by the Permittee. A copy of the recorded approval shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
- 3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
- 4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
- 5. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
- 6. No more than 29.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
- 7. At least 2,220 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
- 8. The restored area shall be maintained in an unaltered state, as specified in RSA 483-B:4, XXIV(b).
- 9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
- 10. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
- 11. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
- 12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
- 13. Any fill used shall be clean sand, gravel, rock, or other suitable material.
- 14. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater

Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

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15. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.

16. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

## With Findings:

- 1. In accordance with RSA 483-B:9,V,(i) The commissioner shall have the authority to grant waivers from the minimum standards of this section. Such authority shall be exercised if the commissioner deems that strict compliance with the minimum standards of this section will provide no benefit to the public and have no material adverse effect on the environment or the natural resources of the state.
- 2. The existing non-conforming structure is located within the 50ft. primary building setback to Lake Winnipesaukee and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9,II.
- 3. The new primary structure is proposed to be constructed greater than 65 feet from the reference line of Lake Winnipesaukee.
- 4. In order to construct the proposed primary structure 200 sq. ft. of unaltered area will need to be altered. This action will reduce the area of vegetation maintained in an unaltered state below the standard established in RSA 483-B:9V,(b),2(a).
- 5. The applicant proposes to restore 950 sq. ft. of previously altered area by planting native vegetation and allowing the area to be maintained as an unaltered area, as per RSA 483-B:4, XXIV(b).
- 6. The installation of a state approved septic system will better protect the public water and therefore, is consistent with the intents of the statute.
- 7. The strict compliance with the minimum standards of this section will not provide material benefit to the public and will have no material adverse effect on the environment or the natural resources of the state and therefore, the requirements for a waiver to RSA 483-B:9, V, b have been met.

## 2015-00930

## DOYLE, DAVID/PAULA

WAKEFIELD Pine River Pond

### Requested Action:

Impact 4,799 sq. ft. in order to construct a garage with a two bedroom apartment, driveway, and a new septic system on a vacant lot.

#### APPROVE PERMIT:

Impact 4,799 sq. ft. in order to construct a garage with a two bedroom apartment, driveway, and a new septic system on a vacant lot.

- 1. All work shall be in accordance with plans by Land Tech dated March 25, 2015 and received by the NH Department of Environmental Services (DES) on April 27, 2015.
- 2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
- 3. No more than 29.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
- 4. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
- 5. At least 115 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
- 6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
- 7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and

03/16/2013 to 03/24/2013

remain in place until all disturbed surfaces are stabilized.

8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

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- 9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
- 10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
- 11. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

## **UTILITY NOTIFICATION**

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2015-01140

**NATIONAL GRID** 

CHESTERFIELD Unnamed Wetland

COMPLETE NOTIFICATION:

Tree removals and vegetation maintenance within the ROW.

2015-01143

**NATIONAL GRID** 

FITZWILLIAM Unnamed Wetland

COMPLETE NOTIFICATION:

Tree removals and vegetation maintenance within the ROW.

2015-01144

**NATIONAL GRID** 

HINSDALE Unnamed Wetland

COMPLETE NOTIFICATION:

Tree removals and vegetation maintenance within the ROW.

2015-01145

**NATIONAL GRID** 

**KEENE** Unnamed Wetland

COMPLETE NOTIFICATION:

Tree removals and vegetation maintenance within the ROW.

2015-01146

**NATIONAL GRID** 

LITTLETON Unnamed Wetland

COMPLETE NOTIFICATION:

Tree removals and vegetation maintenance within the ROW.

2015-01149

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**NATIONAL GRID** 

MARLBOROUGH Unnamed Wetland

COMPLETE NOTIFICATION:

Tree removals and vegetation maintenance within the ROW.

2015-01151

**NATIONAL GRID** 

RINDGE Unnamed Wetland

COMPLETE NOTIFICATION:

Tree removals and vegetation maintenance within the ROW.

2015-01152

**NATIONAL GRID** 

SURRY Unnamed Wetland

COMPLETE NOTIFICATION:

Tree removals and vegetation maintenance within the ROW.

2015-01153

**NATIONAL GRID** 

TROY Unnamed Wetland

COMPLETE NOTIFICATION:

Tree removals and vegetation maintenance within the ROW.

2015-01154

**NATIONAL GRID** 

WALPOLE Unnamed Wetland

COMPLETE NOTIFICATION:

Tree removals and vegetation maintenance within the ROW.